

Wednesday, May 14, 2008
Minutes*
Raymond Planning Board
401 Webbs Mills Road
Jordan Small Middle School Modular Broadcast Studio

7:00 pm

ATTENDANCE: Chairman Pat Clark, Vice Chairman Bob O'Neill, Greg Foster, Sam Gifford, Ginger Wallace, and William Priest.

STAFF: Planner Hugh Coxe, and Recording Secretary Karen Strout.

1. Call to order and role call: Chairman Clark called the meeting to order at 7:10 pm.

2. Approval of minutes:

MOTION: moved by Robert O'Neill, seconded by Sam Gifford to accept minutes of April 9, 2008 with minor modifications.

Vote: 6/0. Motion carried.

MOTION: moved by Robert O'Neill, seconded by Greg Foster to approve minutes of April 16, 2008 as prepared.

Vote: 5/1 (abstention-Gifford). Motion carried.

3. Correspondence:

The following items of correspondence were acknowledged and placed on file:

- a. Robert Metz - 23 Crescent Shore Road-dated April 11, 2008
- b. Melissa Crocket - 77 Hancock Road-dated April 12, 2008
- c. Bruce J. Podhouser -84 Rosewood drive-April 16, 2008
- d. Melissa & Brien Richards- 82 Rosewood Dr. dated April 28 & May 5, 2008
- e. Brian & Terry Cross- 215 Meadow Rd. dated May 6, 2008

Chairman Clark noted for the record that the concerns expressed by the correspondence were mainly those dealing with water quality, phosphorus, and runoff.

4. Public Hearing:

Dielectric Communications

Hugh Coxe reviewed the project referencing his memo commenting that the project appears to meet the basic zoning district regulations and all applicable minimum standards as well as most of the requirements of Site Plan review except for the performance guarantee and the storm water management plan. Dielectric Communications is requesting site plan review for a two layer test project and test pedestal upgrade. The proposed development is located on the south-southeast side of Tower Road, approximately 1,000 ft from the intersection of Tower Road and 121. The property referenced by Raymond Tax Map 6, lot 24, 25 and is approximately 74 acres.

Dielectric Communications Operational Project Manager Mark Fichter with assistance from Mike Judkins, and Jeff Amos of Terradyn Consultants gave the board additional background information on the project and explained their reasoning for the omitted items.

DISCUSSION:

performance guarantee

Mark Fichter stated that they had hoped the company's annual financial report would suffice in lieu of a letter of credit or performance guarantee. Planner Coxe explained the ordinance provision relating to the performance guarantee adding that this could be done as condition of approval with the details to be worked out with the Town Manager and the Code Office.

storm water management plan

The applicant stated that they were asking for a waiver for the because of the small area of land that was being disturbed.

Chairman Clark asked if there were any members of the public who would like to speak. There was no public comment. The only comment received was a written letter from Terry & Brian Cross who were in opposition to the project (letter is on file).

DISCUSSION:

The applicant repeated that they were requesting waivers for both the performance guarantee and storm water plan. Chairman Clark asked for cost of project and was told that it would be \$500,000 -looking for site work cost of approximately \$15,000.

Planner Coxe commented that the performance guarantee is something the Town has been requiring and is not something for which the Board can grant a waiver. The performance guarantee is something that the applicant needs to work out with the Town Manager and can be made a condition of approval.

Clark added that the DEP permit could be a condition of approval as well.

MOTION: moved by Bob O'Neill and seconded by Sam Gifford to grant waiver for the storm water plan.

Vote: 6/0. Motion carried.

MOTION: moved by Bob O'Neill with a second by Ginger Wallace to grant final site plan approval to Dielectric Communication for the site plan application as stated with the following conditions of approval and waiver:

1. The development shall be constructed and maintained in accordance with the plans, specifications, testimony, submissions, and supporting documents presented to the Planning Board in conjunction with the developer's application for Site Plan approval.
2. Prior to issuance of a building permit, the applicant shall provide a **performance guarantee** pursuant to the requirements of **Article 10, section C.3.a of the Land Use Ordinance**.
3. Prior to issuance of a building permit, the applicant shall obtain all permits required by Maine DEP.
4. Prior to issuance of a building permit, the applicant shall submit revised plans that include a note on the plan indicating waivers granted by the Raymond Planning Board.

Waiver

Based on its finding that any increase of storm water resulting from the minor site improvements would be very small and classified as an insignificant increase to the peak flow, that the storm water management plan addresses phosphorous export and concludes that the calculated increase in phosphorous export from this project is well below the allowable allocation, that calculations of the rate of storm water runoff are not relevant to this particular proposed development, and that a waiver will not have the effect of nullifying the intent and purpose of the ordinance, the board grants a waiver of the of the **Article 10, section D.1.b.14** Site Plan submission requirement for a storm water management plan that shows that post-development storm water does not exceed pre-development storm water runoff.

Vote: 6/0. Motion carried.

7:53pm.

**5. Pre-Application Conference
Hancock Land Management LLC for Pismire Bluff referenced by Raymond Tax
Map 15, lot 91 off from Conesca Road.**

Planner Hugh Coxe reviewed his prepared memo.

Pat Cayer reviewed the proposed Pismire project bringing the Board up to date with a revised plan. Most recently Mr. Kevin Hancock had decided to get a closer look to determine the best use of the property, and has decided not include six lots from the original sketch plan proposal, but to go only with the 6 lots off from Conesca Road.

The Board scheduled a site walk for Wednesday, June 18th 6:30 pm with the abutters being notified.

Public comment:

Melissa Crockett requested that the board not consider any waivers for utilities along Conesca Road.

Jim Ross, speaking on behalf of the Conservation Committee in John Rand's absence, stated that the CC would like explore purchasing some type of access to the 90 acres, and the top of the ridge in order to allow public access.

Nick Branch commented that the exempt lot is a concern for him and the view up from the lake should not be overlooked.

6. CPIC UPDATE: Pat Clark attended the workshop. Said that signs were the biggest issue. Coxe stated that the overall response was positive.

Sam Gifford volunteered to attend the next CPIC meeting.

7. OTHER BUSINESS:

a. Selectmen's meeting: Pat Clark reported that Board of Selectmen denied the Planning Board's request for a Special Town Meeting this Spring and they should make their request again in the Fall.

b. Workshop: Hugh offered to make a list for the next PB meeting of items that need to be finished before the Special Town Meeting .

MOTION: moved by Robert O'Neill and seconded by Greg Foster to adjourn.

Vote: 6/0.

9:16 pm.

** Meetings are broadcast live on the public access channel and rebroadcast at a later time. The DVD is the official legal record of the meeting . Copies may be signed out at the Town Office .*

*Karen G. Strout
Recording Secretary*